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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,637	03/28/2006	Toshitaka Araga	WAKAB83.002APC	9022
20995 7590 07/08/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER				
BLANKENSHIP, GREGORY A				
ART UNIT		PAPER NUMBER		
3612				
NOTIFICATION DATE		DELIVERY MODE		
07/08/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
eOAPilot@kmob.com

# Office Action Summary

**Application No.**

10/573,637

**Applicant(s)**

ARAGA ET AL.

**Examiner**

GREGORY BLANKENSHIP

**Art Unit**

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on response filed 3/10/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-7 is/are allowed.
- 6) ☒ Claim(s) 8-12 and 15 is/are rejected.
- 7) ☒ Claim(s) 13 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sturt et al. (6,698,816) Kawasaki et al. (6,439,638) in view of Peterson (5,887,933), further in view of Jaillet et al. (US 2002/0067064).

Sturt et al. discloses a sun visor (10) having a plate-like core (30) for use in a passenger cabin.

However, Sturt et al. do not disclose the claimed cover member.

Peterson teaches providing a sun visor (10) with a cloth cover (14), as shown in Figures 1 and 2.

Jaillet et al. teach forming a cloth layer (14) of a vehicle interior component such that the layer has an air permeability of less than 20 cc/cm<sup>2</sup>/second, as disclosed in paragraph [0053].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

provide cloth cover to the outer surface of the sun visor of Sturt et al., as taught by Peterson, to improve the aesthetics of the sun visor; and

form the cloth cover of a fabric having an air permeability of less than 20 cc/cm<sup>2</sup>/second, as disclosed by Jaillet et al., to provide a cover that is sufficiently strong and flexible.

3. Claims 9-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sturt et al. (6,698,816) in view of Kawasaki et al. (6,439,638).

Sturt et al. disclose a sun visor (10) for a vehicle having a shading plate-like core (30) for use in a passenger cabin of the vehicle. A support shaft (12) supports the plate-like core (30) in the passenger cabin. The plate-like core (30) have plurality a plurality of circular micropores (32), as shown in Figure 2. The total open area of the pores can be adjusted such that the opacity can vary between 80-100% resulting in a total open area that falls in the range of 2% to 30% of the projected area of the plate-like core, as disclosed on lines 15-19 of column 3. In reference to claims 10 and 11, the plate-shaped core comprises a face side plate (14) and a reverse side plate (30) which have substantially or nearly the same contour. The plates (14,30) are coupled with each other, as shown in Figure 1. The pores (22,32) are formed in both plates (14,30), as shown in Figure 2. The pores of the face side plate (14) can be placed out of alignment with the pores of the reverse side plate (30) when viewed in the thickness direction. In reference to claim 12, the face side plate (14) and the reverse side plate (30) have a hollow spaced formed therebetween when the face side plate and the reverse side plate are superposed on each other due to the rim that extends from the face side plate (14) towards the reverse side plate (30) and around the openings (22), as shown in Figure 2. However, Sturt et al. do not disclose the claimed diameter of the openings. Kawasaki et al. teach forming openings in a sun visor with a diameter between 1.0-2.4 mm as shown in Figure 5 as Types D, F, G, and I.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the openings of Sturt et al. with a diameter of 2.4 mm, as taught by Kawasaki et al., to provide openings that are neither too small nor too large to provide the intended function.

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Sturt et al. (6,698,816) and Kawasaki et al. (6,439,638), as applied to claim 9, in view of Peterson (5,887,933), further in view of Jaillet et al. (US 2002/0067064).

Sturt et al., as modified, do not disclose the claimed cover member.

Peterson teaches providing a sun visor (10) with a cloth cover (14), as shown in Figures 1 and 2.

Jaillet et al. teach forming a cloth layer (14) of a vehicle interior component such that the layer has an air permeability of less than  $20 \text{ cc/cm}^2/\text{second}$ , as disclosed in paragraph [0053].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to:

provide cloth cover to the outer surface of the sun visor of Sturt et al., as modified, as taught by Peterson, to improve the aesthetics of the sun visor; and

form the cloth cover of a fabric having an air permeability of less than  $20 \text{ cc/cm}^2/\text{second}$ , as disclosed by Jaillet et al., to provide a cover that is sufficiently strong and flexible.

***Allowable Subject Matter***

5. Claims 1-7 are allowed.

6. Claims 13 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GREGORY BLANKENSHIP whose telephone number is (571)272-6656. The examiner can normally be reached on 7-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on 571-272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Greg Blankenship/  
Examiner, Art Unit 3612  
July 1, 2008